

REMARKS

Status of the Claims

Claims 1, 13, 14, 15, 16, 18, 23, 24, 27, 28 and 30-35 are currently pending. Claims 23, 24, 30-35 are withdrawn. The attached claims incorporate the amendments made in both of the previously filed, non-entered, after final responses. No new matter has been added. The amendments made can be summarized as follows.

Applicants have (1) amended claim 1 to include the limitations of claims 11 and 12, and have amended both of rings B and C to phenyl; (2) amended claim 16 to include the limitations of claim 19, and have amended both of rings B and C to phenyl; and (3) amended claim 27 to require the elements of claims 11 and 12 and to have rings B and C be phenyl. Additional amendments to the claims include the following.

Claim 1

Applicants removed the provisos and many compounds from the end of claim 1.

Claim 13

The status of this claim was improperly identified in the prior response. As a result, applicants have resubmitted the amendment, wherein the dependency of the claim was changed from claim 10 to claim 1. Claim 13 was also identified as being "Currently Amended."

Claim 22

Claim 22 has been cancelled.

Claims 23 and 24

The dependencies of these claims were changed from claim 22, now cancelled, to claim 16.

Claim 27

Compounds not encompassed by claim 1 have been removed.

Additionally, the figure in Entry 180 was amended. The –CN group appeared as –NC in the original figure; the new figure clearly shows the proper –CN orientation of the cyano group. Support for this amendment may be found in the name of entry 180, i.e., "... (6-cyanopyridin-..."

Claims 30, 34 and 35

The specific compounds were removed. A typographical error was also corrected.

Claim 33

The following conditions/diseases were added: rheumatoid arthritis, graft-host diseases, multiple sclerosis, psoriasis; arteriosclerosis, myocardioinfarction, ischemia, stroke, restenosis; interbowel diseases, osteoarthritis, macular degeneration, or diabetic retinopathy. Support for this amendment may be found in the specification as filed, in paragraph [0020]. "Cancer" was not claimed at the request of the examiner.

Rejections under 35 U.S.C. § 102(b)

The Office has maintained the rejection claims 1, 2, 4-10, 16-18, 21-22, 24 and 28 under U.S.C. § 102(b), alleging that these claims are anticipated by WO 02/06246. The Office specifically alleges that the carboxyl substituent of the substituted pyrimidinyl group required in WO 02/06246 is R³ or R³⁰ in the instant claims. Applicants respectfully traverse.

As stated above, Applicants have incorporated elements of claims 11 and 12 into claim 1, and have incorporated the elements of claim 19 into claim 16, thereby rendering these rejections moot and placing the claims in condition for allowance. Applicants respectfully request reconsideration and withdrawal of this objection.

The Office has maintained the rejection of claims 16-18, 21, 22 and under U.S.C. § 102(b), alleging that these claims are anticipated by Auzou et al. Applicants respectfully traverse.

As stated above, Applicants have incorporated the elements of claim 19 into claim 16.

Accordingly, this rejection has been rendered moot by this amendment. Applicants respectfully request reconsideration and withdrawal of this objection.

Claim Objections

The Office stated that the claims are not in condition for allowance because they contain non-elected subject matter.

As stated above, applicants have amended independent claims 1, 16 and 27 to delete all non-elected subject matter by requiring that both rings B and C are phenyl. Accordingly, Applicants respectfully request reconsideration and withdrawal of this objection.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,

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By: /Bradley W. Crawford/
Bradley W. Crawford
Reg. No. 50,494

McDonnell Boehnen
Hulbert & Berghoff LLP
32nd Floor
300 South Wacker Drive
Chicago, IL 60606
Tel: (312) 913-2114 (direct)
Tel: (312) 913-0001 (general)